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CHAPTER 8

REPORTS AND INVESTIGATIONS

0800 GENERAL

a. A thorough investigation will be made of missing, lost, or stolen AA&E to determine the circumstances and to fix responsibilities as appropriate. Inventory and accountability losses must be investigated thoroughly. BEFORE ANY LOSS CAN BE ATTRIBUTED TO AN INVENTORY OR ACCOUNTABILITY DISCREPANCY, IT MUST BE DETERMINED THROUGH INVESTIGATION THAT THE LOSS WAS NOT THE RESULT OF THEFT OR MISAPPROPRIATION. Under no circumstances will an MLSR report for AA&E give "inventory" or "accounting" error as a probable cause for missing, lost or stolen AA&E until a Naval Criminal Investigative Service (NCIS) or command investigation so indicates. This chapter does not apply to privately owned weapons.

b. Navy and Marine Corps units will promptly submit appropriate information relating to theft or suspected theft of AA&E to the local NCIS office per reference (h).

(1) NCIS will make National Crime Information Center (NCIC) report entries and also notify the Navy Registry (NAVSURFWARCEMDIV Crane (Code 4086)), when applicable. Information will also be submitted to the NCIC and Navy Registry for recovery of DON or other DoD arms. (R)

(2) NCIS offices will report significant losses of AA&E (see paragraph 0801b) to the Bureau of Alcohol, Tobacco, and Firearms within 72 hours. NCIS will also provide appropriate information on theft or suspected theft of AA&E to local police and FBI. (R)

c. The provisions of this chapter do not preclude the submission of other reports, such as the requirements in reference (s) and OPNAVINST 3100.6G (NOTAL).

0801 REPORTS

a. MLSR Reports. As required by reference (h), activities will submit reports of all missing, lost, stolen, or recovered (MLSR) AA&E to CNO (N09N3), with a copy to NAVSURFWARCEMDIV Crane (Code 4044). Marine Corps units will report to CMC (LPP-2/POS-10) with copies to the chain of command, NAVSURFWARCEMDIV Crane (Code 4044), and MARCORSYSCOM (AM-IMS) for ammo items. (Note: other reports may also be required by higher authority (such as an OPREP-3 or unit SITREP).) MLSR reports are required only if actual gains or losses may have occurred; if causative research can, within a reasonable amount of time (45 days), prove that discrepancies are due to errors in records and not actual loss, then an MLSR report should not be submitted (R)

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(unless to correct an earlier mistaken MLSR report).

D)

b. Significant Incident Reports. For "significant" incidents involving AA&E, DON activities will send message reports within 48 hours detailing the circumstances surrounding such incidents to CNO (N09N3), with copies to the chain of command and NAVSURFWARCENDIV Crane. CNO (N09N3) will in turn notify DoD (Director, Security Programs, DASD(I&S), ODASD(C3I)) not later than 72 hours after occurrence or discovery. Generally, loss or theft of the following AA&E is considered "significant":

- (1) One or more missile or rocket rounds;
- (2) One or more machine guns;
- (3) One or more automatic fire weapons;
- (4) 25 or more manually operated or semi-automatic weapons (e.g., revolvers and semi-automatic pistols);
- (5) Ammunition as follows:
 - (a) Over 5,000 rounds (or 20,000 rounds of .38 caliber) of ammunition smaller than 40mm: five rounds or more of 40mm and larger ammunition; and
 - (b) Any fragmentation, concussion, or high explosive grenades, including artillery or ground burst simulators, or other simulators or devices containing explosive materials;
- (6) One or more mines (antipersonnel and antitank);
- (7) Demolition explosives including detonation cord, blocks of explosives (C-4), and other explosives;
- (8) Also reportable are:
 - (a) Armed robberies or attempted armed robberies;
 - (b) Forced entries or attempted forced entries in which there is physical evidence of the attempt;
 - (c) Any evidence of terrorist involvement;
 - (d) Incidents that cause significant news coverage, or appear to have the potential to cause such coverage; and
 - (e) Any evidence of trafficking, such as bartering for narcotics or taking AA&E across international borders, regardless of the quantity of AA&E involved.

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c. Activities will ensure records reflect final disposition of an investigation, including recoveries and disciplinary action, as appropriate. Retain records for 4 years.

d. CNO (N09N3) will provide trend analyses and threat assessment studies to the Office of the Assistant Secretary of Defense (Command, Control, Communication, and Intelligence) Intelligence/Counter Intelligence and Security Policy .

e. NAVSURFWARCENDIV Crane will promptly report loss, theft, or recovery of arms to the DoD Central Registry.

(1) NAVSURFWARCENDIV Crane will maintain a consolidated data base of all MLSR reports submitted by DON activities, including any report under subsection 0801b. These will include:

(a) A summary of the circumstances in each instance;

(b) Dates, locations, and activities involved; and

(c) A statement, based on the investigation, regarding the type or circumstances of the loss or recovery such as inventory, theft, in-transit, training, operational, or other.

(2) NAVSURFWARCENDIV Crane will provide quarterly reports, including trend analysis of current AA&E data, to NCIS headquarters, with copies to fleet CINCs and CMC (POS-10), as appropriate. Additional MLSR reports by NAVSURFWARCENDIV Crane will be as directed by NCIS headquarters and/or CMC (POS-10).

0802 COMMAND INVESTIGATION. When AA&E is missing, lost, or stolen and NCIS declines investigation, the security officer or provost marshal of the accountable or host command will perform an investigation. The AA&E accountability officer will ensure all applicable documents and personnel are available to the security officer/provost marshal. A final MLSR report will not be submitted until the security officer/provost marshal submits a final investigation report to the commanding officer. The security officer/provost marshal will:

a. Investigate the circumstances surrounding the loss, including inventory and custody records, applicable security procedures and hardware, spaces where the AA&E was last seen, and applicable key control/access logs;

b. Interview the individual specifically accountable for the lost AA&E, as well as those with recent access or security-related responsibilities in the area;

c. Using the data from investigation, interviews, and records, determine the most likely cause of the loss; and

d. Report findings in writing, with recommended

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corrective action, to the commanding officer. Corrective action may include disciplinary action, appropriate training of personnel or procedural changes in AA&E handling. The security officer's report must reflect the final disposition of investigative action, including recoveries and disciplinary action, as appropriate. The report and associated MLSR reports will be kept for at least 4 years.